IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

_

WRIT PETITION NO : 4666 of 2005

Between:

J. John Victor, S/o. Israil Andrews,
of CBM Centenary High School, Samalkot, East Godavari District.

..... PETITIONER

AND

1 The State of Andhra Pradesh, Rep. by its Principal Secretary, School Education, Secretariat, Hyderabad.
2 The Commissioner & Director of School Education, Andhra Pradesh, Hyderabad.
3 The Regional Joint Director of School Education, Kakinada, East Godavari District.
4 The District Educational Officer, Kakinada, East Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ more in the nature of a writ of Mandamus declaring the action of the 2nd respondent Commissioner & Director of School Education, Hyderabad in not adjudicating the review petition on his proceedings in Rc.No. 2641/B2.2/2001 dt. 3-11-02 in the matter of approval of correspondentship of CBM Centenary high School, Samalkot despite the contestant expired and the

appeal abated as being arbitrary and illegal and mala fide violating Article 14 of the Constitution of India and issue consequential direction to the 2nd respondent Commissioner & Director of School Education Hyderabad to pass orders in continuation of my Correspondentship to the C.B.M. Centenary High School, Samalkot and issue such other Writ or order or orders as deemed fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.CH.SAMSON BABU

Counsel for the Respondents: GP FOR SCHOOL EDUCATION

The Court at the Stage of Admission made the following ORDER:

The petitioner claims to have filed an application under Section 91 of the A.P. Education Act, 1982 (for short 'the Act') to review the order, dated 03.11.2002, passed by the second respondent herein. His grievance is that no steps have been taken thereon.

Heard the learned counsel for the petitioner and the learned Government Pleader for School Education.

The second respondent passed an order, dated 03.11.2002, in exercise of appellate powers. The petitioner had stated several reasons while seeking review of the said order. The question as to whether the reasons pleaded by the petitioner are sustainable in law and whether the order, dated 03.11.2002, deserves to be reviewed, needs to be considered by the second respondent. This Court cannot express any opinion on that. It is not in dispute that the second respondent is conferred with the power to review his own orders, under Section 91 of the Act. The application cannot be kept pending indefinitely.

Hence, the writ petition is disposed of directing the second respondent to pass appropriate orders on the application filed by the petitioner seeking review, within a period of six weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

10.03.2005

ksld

To

1 The Principal Secretary, State of Andhra Pradesh, School Education, Secretariat, Hyderabad.
2 The Commissioner & Director of School Education, Andhra Pradesh, Hyderabad.
3 The Regional Joint Director of School Education, Kakinada, East Godavari District.
4 The District Educational Officer, Kakinada, East Godavari District.

5 Two CCs to the Government Pleader for School Education, A.P.High Court Buildings, Hyderabad (OUT).

6 Two CD copies.